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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
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9 SHUFFLE MASTER, } 2:04-CV-980-BES-PAL
10 Plaintiff, }
11 v. } **ORDER**
12 YEHIA AWADA and GAMING }
13 ENTERTAINMENT, INC., }
14 Defendants. }

15 Before the Court is the Report and Recommendation of the United States Magistrate
16 Judge (Doc #167) ("Recommendation") entered on February 15, 2008, in which the Magistrate
17 Judge recommends that this Court enter a default judgment in favor of plaintiff and against the
18 defendants. The Report and Recommendation specifically provided that failure to timely
19 obtain substitute counsel by the corporation, and to obtain substitute counsel or file a notice
20 with the court indicating Mr. Awada would be appearing *pro se* might result in the imposition
21 of sanctions up to and including a recommendation to the District Judge of case dispositive
22 sanctions. Defendants have not complied with the Report and Recommendation within the
23 allotted time.

24 The Court has conducted a *de novo* review of the record in this case, considering fully
25 all relevant matters of record pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule IB 3-2.
26 After a review and determination in accordance with the requirements of 28 U.S.C. § 636 and
27 applicable case law, and good cause appearing,

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1 IT IS THEREFORE ORDERED that the Magistrate Judge's Report and
2 Recommendation (Doc #167) entered on February 15, 2008, is adopted and accepted without
3 modification. Thus, in accordance with the Report and Recommendation,

4 IT IS HEREBY ORDERED the Clerk of the Court shall enter a default in favor of Plaintiff
5 and against Defendants. Fed. R. Civ. P. 55(b)(2) requires the party entitled to default
6 judgment to apply to the court for the same, and authorizes the court "to determine the amount
7 of damages," where necessary, "to enable the court to enter judgment or to carry it into effect."
8 Accordingly, before this Court can enter a default judgment against Defendants, the Court
9 must ascertain the proper amount of damages to which Plaintiffs are entitled. To establish the
10 amount due and owing upon default judgment, Plaintiffs shall file an affidavit showing the
11 amount due and costs against Defendants pursuant to Fed. R. Civ. P. 55(b)(2).

12 IT IS SO ORDERED.

13 DATED: This 6th day of March, 2008.

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18 UNITED STATES DISTRICT JUDGE
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